

Panaji, 22nd July, 1976 (Asadha 31, 1898)

SERIES II No. 17

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

General Administration Department

Order

No. 16-5-73-GAD-II

Ref: — Read Order No. 16-5-67-GAD dated 2-12-75.

Shri J. M. R. Almeida on deputation as Senior Field Officer under the Cabinet Secretariat, New-Delhi on reversion is posted as Mamlatdar-cum-B.D.O. Daman with effect from the date of taking over charge.

Shri M. M. Mitbavkar, Mamlatdar cum P.A. to Collector Daman and who is also looking after the work of B.D.O. Daman is posted as P.A. to Collector Daman with effect from the date of taking over charge.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).

Panaji, 13th July, 1976.

Special Department

Order

No. 4-25-76-SPL

Shri M. B. Lal, probationer I.F.S. Officer, is appointed as Assistant Conservator of Forests, in the pay scale of Rs. 700-1300 (junior pay scale) with effect from the date of his joining this Administration. His appointment is shown against the post of Dy. Conservator of Forests in senior pay scale included in the Indian Forest Service, now vacant.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).

Panaji, 15th July, 1976.

Home Department (General)

Notification

No. HD(G)-44-92/75

Read: Order No. 16-5-73-GAD-II dated 13th July, 1976.

In exercise of the powers conferred by sub-section (1) of section 20 of the Criminal Procedure Code, 1973 (Act

No. 2 of 1974) the Lieutenant Governor of Goa, Daman and Diu, hereby appoints Shri J. M. R. Almeida, Mamlatdar-cum-B. D. O. Daman, as the Executive Magistrate in Daman District from the date he takes over the charge in place of Shri M. M. Mitbavkar, Mamlatdar-cum-P. A. to Collector Daman.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

G. M. Sardesai, Under Secretary (Home).

Panaji, 17th July, 1976.

Planning Department

Order

No. 5-4-70/PLG

Read: Letter No. A.19018/2/75-Adm dated 3-7-1976 from the Director of Census Operations, Goa, Daman and Diu.

On expiry of his deputation period Shri D. P. Naik, Assistant Director of Census Operations in the Office of the Director of Census Operations, is hereby reverted to his parent Department i.e. the Bureau of Economics, Statistics and Evaluation, Panaji and posted as Statistical Officer in the office of the said Bureau with effect from the date of his taking over the charge of the said post in the vacancy of the post of Statistical Officer held on ad-hoc basis by Shri M. K. Belurkar who is reverted to his original post of Research Assistant from the date Shri Naik takes charge of the post.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Planning).

Panaji, 17th July, 1976.

Education and Public Works Department

Order

No. 15-11-75 EBN

Shri Suresh Prasad Sinha a candidate recommended by Union Public Service Commission is hereby temporarily appointed to the post of Assistant Lecturer in Hindi in the Govt. Arts and Science College, Daman with effect from the date of taking over the charge in the pay scale of Rs. 300-25-600 (pre-revised) plus the usual allowances admissible from time to time.

His initial pay shall be fixed at Rs. 375/- (Rupees three hundred seventy five only) per month as per recommendation of Union Public Service Commission vide their letter No. F.1/1028/75-RR dated 22-5-1976.

The appointment is subject to the conditions specified in this Office Memorandum of even number dated 11-6-1976 and the rules and regulations laid down by Govt. from time to time.

The appointment is temporary and subject to the corrections that in case he is found medically unfit or has a bad reputation/character or antecedents, his services will be terminated.

By order and in the name of the Administrator of Goa,
Daman and Diu.

S. S. Sukthankar, Under Secretary (Revenue).

Panaji, 12th July, 1976.

Order

No. 15-33-70/FCS (EDN)

On the recommendation of Departmental Promotion Committee the following Lecturers in the Govt. Arts & Science College, Daman are hereby confirmed in the permanent posts indicated against their names with immediate effect.

| Sl. No. | Name | Designation |
|---------|-----------------------|-------------------------------|
| 1. | Shri Dalip Singh | Lecturer in Mathematic |
| 2. | Shri Bishwanath Singh | Lecturer in Political Science |
| 3. | Shri V. K. Rao | Lecturer in English |
| 4. | Shri P. Sitaramiah | Lecturer in Biology |
| 5. | Shri S. Om Kumar | Lecturer in Physics |
| 6. | Shri S. V. L. N. Row | Lecturer in Economics |
| 7. | Shri B. C. Pathak | Lecturer in Sanskrit |
| 8. | Shri V. Sukumaran | Lecturer in English |

By order and in the name of the Administrator of Goa,
Daman and Diu.

S. S. Sukthankar, Under Secretary (Revenue).

Panaji, 8th July, 1976.

Order

No. EDN-PWD-4067-75

On the recommendation of the Departmental Promotion Committee following Executive Engineers holding the posts on ad-hoc basis in Public Works Department, are hereby temporarily promoted to the posts of Executive Engineers on regular basis in the same Department with effect from 18-6-1976.

- 1) Shri A. K. Jahagirdar.
- 2) Shri S. S. Sidhu.
- 3) Shri R. C. Dharwad.
- 4) Shri V. P. Palondicar.
- 5) Shri U. R. Pissurlenkar.
- 6) Shri S. M. Kudchodkar.
- 7) Shri U. C. Nayak.
- 8) Shri G. N. Kapadi.

By order and in the name of the Administrator of Goa,
Daman and Diu.

S. S. Sukthankar, Under Secretary (Revenue).

Panaji, 13th July, 1976.

Order

No. 15-9-75 EDN

Shri Hari Sharnanand a candidate recommended by Union Public Service Commission is hereby temporarily appointed as Assistant Lecturer in Political Science in the Government Arts & Science College, Daman with effect from the date of taking over the charge in the scale of Rs. 300-25-600 (pre-revised) plus the usual allowances admissible from time to time.

His initial pay shall be fixed on minimum pay of the scale as recommended by Union Public Service Commission vide their letter No. F.1/834/75-R(B) dated 28-1-1976.

The appointment is temporary and subject to the conditions specified in this Office Memorandum of even number dated 17-2-1976 and the rules and regulations laid down by Government from time to time.

By order and in the name of the Administrator of Goa,
Daman and Diu.

S. S. Sukthankar, Under Secretary (Revenue).

Panaji, 14th July, 1976.

Corrigendum

No. EDN/PWD/3870/74

Read: Government Order No. EDN/PWD/3870/74 dated 31st January, 1976 constituting Technical Education Advisory Council for the Union Territory of Goa, Daman and Diu.

In the above quoted Government Order the name of «Shri J. Coelho, Representative Goa Mineral Ore Exporters Association» at serial No. 9 may please be treated as deleted and may be read as «Shri D. S. Nadkarni, Representative Goa Mineral Ore Exporters Association, Panaji-Goa».

By order and in the name of the Administrator of Goa,
Daman and Diu.

S. S. Sukthankar, Under Secretary (Revenue).

Panaji, 9th July, 1976.

Agriculture Department

Order

No. 5/2/75-GOI(I)

On deputation from the Government of Karnataka, Dr. S. J. Markhande, Deputy Director of Agriculture (Agronomy), Bangalore, is appointed as Project Officer (Multiple Cropping) of the Directorate of Agriculture, Panaji, Goa, in the pay scale of Rs. 1100-50-1800, for an initial period of one year with effect from the forenoon of the date of his relief from the Government of Karnataka, on the terms and conditions contained in the Ministry of Finance O.M.No.F.10(24)-E.II/60, dated 4th May 1961, as amended from time to time, vice Shri S. R. Nadkarni, who is relieved with effect from the date of his joining.

By order and in the name of the Administrator of Goa,
Daman and Diu.

Abel do Rosario, Under Secretary (Development).

Panaji, 12th July, 1976.

Rural Development Department

Order

No. RDD/Coop/Deput/(NKA)/74/74/5276

Ref: — Letter No. RCS/EST/PF(NKA)/Vol-I/1976-77 dated 18-6-76.

Read:—Govt. Order No. RDD/Coop/Deput/(NKA)/74/74 dated 8-5-74.

Ex-post facto sanction is hereby accorded to the extension of deputation term of Shri N. K. Avashia, Sr. Auditor, Co-operative Societies, Panaji, to the post of Internal Auditor of the Goa State Cooperative Bank Ltd., Panaji for a further period of 27 days w.e.f. 4-6-76 to 30-6-76, under the terms and conditions already specified in the Govt. order referred to above.

By order and in the name of the Administrator of Goa,
Daman and Diu.

F. A. Figueiredo, Under Secretary (Planning).

Panaji, 9th July, 1976.

Notification

No. RDD/Coop/Board/SSSK/107/75/5590

In exercise of the powers conferred under Section 157 of the Maharashtra Coop. Societies Act, 1960 as applied to the Union Territory of Goa, Daman and Diu, the Lt. Governor of Goa, Daman and Diu, is hereby pleased to exempt the Sanjivani Sahakari Sakhar Karkhana Ltd., Panaji, from the application of the following part of the provision of Sub-Section (ii) of Section 78 of the said Act viz.,

«after giving the committee an opportunity of stating its objections (if any), within fifteen days from the date of issue of notice, and» and «remove the committee and»

for a period of one year from the date of issue of this notification.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Planning).

Panaji, 16th July, 1976.

Industries and Power Department

Notification

No. 5-27/IPD/SJR/76

Whereas one M/s Sociedade Javerbhai Ramjee & Co. Ltd., from Margao had been granted a mining lease under title of concession No. 91 dated 11-9-53 for Ferro/Manganese over an area of 56.7300 hectares situated at Maina Village of Quepem Taluka.

And whereas the said M/s Sociedade Javerbhai Ramjee & Co. Ltd., had failed to conduct the mining operations in the area leased to them under the aforesaid title of concession and thus has committed breach of the provisions of clause (f) of sub-rule (1) of rule 27 of the Mineral Concession Rules, 1960.

And whereas a notice bearing No. DI/Mines/72/1215 dated 1-5-72 had been served on said M/s. Sociedade Javerbhai Ramjee & Co. Ltd., calling upon them to remedy the said breach within 60 days from the date of receipt of the said notice.

And whereas the said M/s. Sociedade Javerbhai Ramjee & Co. Ltd., have failed to comply with the notice.

Now, therefore, in exercise of the powers conferred by sub-rule 5 of rule 27 of the Mineral Concession Rules, 1960 the Lieutenant Governor of Goa, Daman and Diu hereby determines the said mining lease granted to M/s. Sociedade Javerbhai Ramjee & Co. Ltd., under title of concession No. 91 dated 11-9-53 with immediate effect without prejudice to any proceeding that may be taken against them.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

P. Noronha, Under Secretary (Industries and Labour).

Panaji, 9th July, 1976.

Notification

No. 5-27/IPD/TCS/76

Whereas late Shri Tomas Caetano de Souza has been granted a mining lease under title of concession No. 17 dated 24-3-1958 for Ferro/Manganese ore over an area of 96.1200 Ha. situated at Ela Village of Goa Taluka (herein-after called the said mining lease).

And Whereas consequent to the death of said Shri Tomas Caetano de Souza, Smt. Joana de Souza have been declared as legal heir of the said mining lease.

And Whereas the said Smt. Joana de Souza had failed to conduct the mining operations in the area leased to late Shri Tomas Caetano de Souza and now administered by Smt. Joana de Souza and thus have committed breach of the provisions of clause (f) of sub-rule (1) of rule 27 of the Mineral Concession Rules, 1960.

And Whereas a notice bearing No. DI/Mines/72/938 dated 4-4-1972 had been served on said Smt. Joana de Souza calling upon her to remedy the said breach within 60 days from the date of receipt of the said notice.

And Whereas the said Smt. Joana de Souza has failed to comply with the notice.

Now, Therefore, in exercise of the powers conferred by sub-rule 5 of rule 27 of the Mineral Concession Rules, 1960, the Lieutenant Governor of Goa, Daman and Diu hereby determines the said mining lease granted to late Shri Tomas Caetano de Souza and now administered by Smt. Joana de Souza under title of concession No. 17 dated 24-3-1958 with immediate effect without prejudice to any proceedings that may be taken against her.

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

Abel do Rosario, Under Secretary (Industries and Labour).

Panaji, 13th July, 1976.

Labour and Information Department

Order

No. 1/3690/76/ID/LAB

The following Award given by the Industrial Tribunal Goa, Daman and Diu on an industrial dispute between the Management of M/s. Shantilal Khushaldas & Bros. Pvt. Ltd., Margao, Goa and their workman employed under them is hereby published as required under provisions of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947).

P. Noronha, Under Secretary (Industries and Labour).

Panaji, 9th July, 1976.

Before Shri R. V. Kollali, Presiding Officer, Industrial Tribunal Cum Labour Court, Dona Paula

Reference No. IT/26/75

Shri Raphael Gonsalves, workman represented by Goa Trade and Commercial Workers' Union Assonora, Bardez-Goa.

1st Party.

V/s.

M/s. Shantilal Khushaldas & Bros. Private Limited, Margao-Goa.

2nd Party.

By Order No. CLE/1/ID/(120)/74-75/IT(12)/75/957 dated 8th August, 1975, the Government of Goa, Daman and Diu referred this dispute for adjudication by this Tribunal with the following schedule:

SCHEDULE

«Whether the action of the Management of M/s. Shantilal Khushaldas & Bros. Pvt. Ltd., Margao, Goa, in transferring Shri Raphael Gonsalves, mechanic, from Head Office, Margao, to Harvalet garage with effect from 4-7-1974 and refusing him employment at Head Office is legal and justified?

If not to what relief the workman is entitled to?»

After a number of dates, the claim statement on behalf of the First Party workman was filed, contending inter-alia that his appointment was at the Head Office of the Second Party concern and suddenly on 4-7-1974, he was given a Transfer Order for reporting at the Arvalet Garage which is located near the mining area and the conditions of service and wages for work there, are all governed by a separate set of rules, that the workman therefore, regarded the transfer as illegal and pointed out the illegality to the Management, that the Second Party, however, persisted in their determination to transfer the workman and by a letter of 18-3-1975 terminated his services by observing «We have taken that you have voluntarily abandoned our

service and have struck your name from our records with effect from the completion of forty eight hours from the receipt from the said letter i.e. with effect from 4-10-1974, that the workman was refused work at the Head Office which amounted therefore to termination illegally and hence an award be made, requiring the Second Party concern to take him back in service from 4-7-1974 and to pay full back wages with continuity of service and such other benefits as are due to him.

The Second Party concern when called on to file its counter statement, took some time and then informed the Tribunal that the matter had been amicably settled by the parties. The Second Party sent a memo signed by both the parties with the caption «Terms of Settlement» but this memo did not clarify the position of the workman in regard to the work with the Second Party. Therefore, the Tribunal had to discuss the matter with both the representatives and point out the flaw in the terms of the settlement. Thereafter, on the next adjourned date, they filed a Settlement whereby the parties agreed that an amount of Rs. 3,849-31 (Rupees three thousand eight hundred forty nine and paise thirty one only) would be paid by the Second Party to the First Party workman in seven equal monthly instalments, until the amount as agreed is paid in full and that with this settlement the claims of the workman are settled in full and there will be no further claims with the Second Party and the termination would be treated as finalised and there would be no claim for reinstatement.

The settlement gives the First Party workman a substantial amount of money and he is obviously satisfied with that amount and the mode of payment of that amount. He has also agreed that once he gets the amount in full in the agreed manner, he will have no further claim against the Second Party and that the termination would be treated as finalised. Clearly, this Settlement resolves the dispute between the parties in a fair and reasonable manner. Therefore the Settlement is accepted and the Award will follow in terms thereof. The following Award is made:

«AWARD»

The Award is made in terms of the Settlement dated 29th June, 1976 which shall be annexed to the Award and shall form part of it.

R. V. KOLLALI
Presiding Officer

Dated: 30th June, 1976.

Place: Dona Paula.

By order and in the name of the Lt. Governor of Goa,
Daman and Diu.

P. Noronha, Under Secretary, Industries and Labour.

Before Shri R. V. Kollali, Presiding Officer, Industrial Tribunal Cum Labour Court, Dona Paula

Reference: No. IT/26 of 1975

Between

M/s. Shantilal Kushaldas Bros. Pvt. Ltd., Margao, Goa.

And

Their Workman (Raphael Gonsalves)

May it please your Honour,

The above reference for wrongful termination of service and reinstatement with back wages is to be heard today.

The Parties to the dispute wish to state that they have arrived at a mutual settlement which is agreeable to both the parties.

An amount of Rs. 3,849-31 will be paid by the Employer Company to the Workman Raphael Gonsalves in seven equal instalments. The first instalment was paid in May, 1976 and hereafter instalments will be paid monthly by the 10th of each month until the amount as agreed to is paid in full.

Total amount Rs. 3,849-31 (Rupees three thousand eight hundred and forty nine and paise thirty one).

With this settlement the claims of this workman are settled in full and there will be no further claims with

the Company and the termination will be treated as finalised and there will be no claim for reinstatement.

Dated this 29th day of June, 1976.

Parties:

Representing the Employers:

Representing the workman

Shri G. R. SRINIVASAN

RAPHAEL GONSALVES

Personnel Manager

Messrs. Shantilal Kushaldas Bros.

Pvt. Ltd.

Margao, Goa

No objection

GEORGE VAS
for the Union

Order

No. 1/3692/76/ID/LAB

The following award given by the Industrial Tribunal Goa, Daman and Diu on an industrial dispute between the Management of M/s. Bhagvatiprasad Saw Mill, Tivim, Goa and their workman Shri Ramachandra Jinnappa Patil is hereby published as required under provisions of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947).

P. Noronha, Under Secretary (Industries and Labour).

Panaji, 9th July, 1976.

Before Shri R. V. Kollali, Presiding Officer, Industrial Tribunal Cum Labour Court, Dona Paula

Reference No. IT/22/75

Shri Ramachandra Jinnappa Patil, represented by The Goa Commercial Engineering & General Employees' Union Opp. Cafe Real, Top Floor, Panaji-Goa.

1st Party

V/s.

M/s. Bhagvatiprasad Saw Mill, Madel, Tivim Bardez-Goa.

2nd Party

The Government of Goa, Daman and Diu, by No. CLE/1/ID(113)/74/IT(10)/75/656 dated 16th June, 1975, referred this dispute for adjudication by this Tribunal with the following schedule:

«SCHEDULE»

«Whether the action of the Management of M/s. Bhagvatiprasad Saw Mill, Madel, Tivim, Bardez, Goa in terminating the services of Shri Ramachandra Jinnappa Patil, helper, with effect from 24th March, 1974 is legal and justified?

If not, to what relief the concerned workman is entitled to?»

The dispute has been raised by the Goa Commercial Engineering & General Employees' Union. Its Joint Secretary filed the claim statement contending that Ramachandra Jinnappa Patil who had been working as a helper for the Bhagvatiprasad Saw Mill (i.e. the Second Party) was discharged from service with effect from 24-3-1974 contrary to the Standing Orders and Industrial Law; the conciliation proceedings were initiated but the Second Party did not participate and there was, therefore, a failure report which has led to the present reference; the Second Party purchased the Saw Mill under an Agreement of Sale of 15-3-1973 since which date the said Ramachandra Patil was working with the Second Party as a Helper on a salary of Rs. 175/- per month plus free food and his services were terminated on 24-3-1975 without even giving any written notice; and the said Ramachandra Patil was entitled to reinstatement with continuity of service and full back wages.

The Second Party proprietor, by his written statement stated that the said Ramachandra Patil and three others were the owners of the mill which the Second Party purchased by virtue of an Agreement of Sale dated 15-3-1973.

Subsequently, the said Ramachandra Patil, one of the co-owners of the saw mill before its sale sold his share in the mill along with others on receipt in full of his share, and filed a sworn declaration on solemn affirmation along with the other co-owners as per Exhibit 'B' annexed to the written statement; that there never existed the employer-employee relationship between the Second Party and the said Ramachandra Patil.

No reply was filed to the written statement of the Second Party. In view of the contentions of the two parties, an issue in addition to the point referred was settled for being heard. The issue is as follows:

«Is the workman an employee of the Second Party?»

My finding is in the negative.

The matter was then posted for hearing on 27th April, 1976 on which date the workman and his representative were not present. The case was adjourned to 29th May, 1976. The Union's Joint Secretary noted this date on 30th April, 1976. Even so, neither he nor the workman was present. Lastly, the case was posted for evidence on 31st May, 1976 on which day also the Union Secretary and the said Ramachandra Patil remained absent. It may be stated further, that the said Ramachandra Patil has not appeared before the Tribunal even once.

The proprietor of the Second Party has filed an affidavit wherein he has stated that consequent to the Agreement of Sale dated 15-3-1973, he purchased the saw mill in question on or about 10-6-1974 from the former owners, one of whom was the said Shri Ramachandra Patil and that the said Ramachandra Patil never worked in the Second Party saw mill ever since the sale and had never been in the employ of the Second Party.

In support of the affidavit, there is at Exhibit 'A' annexed to the written statement, the Agreement of Sale dated 15-3-1973. That Agreement of Sale is between four co-owners and the Second Party proprietor. Serial no. 2 of the co-owners is Ramachandra Jinnappa Patil, whose occupation is described as «businessman». Under the terms of the agreement, the four co-owners agreed to sell the Second Party proprietor agreed to buy the business then known as St. Anthony Saw Mill and Timber for Rs. 16,500/-. This amount has also been variously apportioned in the agreement whereby the said Ramachandra Patil was to receive Rs. 3,269-67 (Rupees three thousand two hundred sixty nine and paise sixty seven only). The Agreement also provided that the amount due to Ramachandra Patil was payable in monthly instalments of Rs. 450/- in the first instance and after his share was fully paid up, to other members jointly. The Agreement also stated that the Second Party proprietor was given over the mill for the purpose of conducting it at his own risk and for his own benefit for which he would be solely and exclusively responsible and he could change the name of the business also. It also provided that in the event of default in paying any two instalments, the original owners could rescind the agreement on the occurrence of which event, the Second Party proprietor would forfeit in favour of the original owners any payments that might have been made and to restore also the business to them. Exhibit 'B' to the written statement is a certified copy of the declaration by the said Ramachandra Patil and the other three co-owners recording that the payments under the Agreement of Sale had been made fully and, therefore, the business under the name and style of St. Anthony Saw Mill and Timber had been sold to the Second Party proprietor free from any incumbrances with all the machinery and appurtenances belonging to or attached to the said business. This declaration was made on 10-6-1974 before the Notary Public at Mapusa.

If the case on behalf of the said Ramachandra Patil that he was a Helper and was certainly removed from service on 24-3-1974 were true, he would not be a willing party to sign the declaration on 10-6-1974. Until full payments were made actually in terms of the agreement, the Second Party proprietor faced the prospect of losing whatever payments he made and the decision of the contract of sale if he committed two defaults in paying the instalments, though he had the management of the concern with him, the declaration of 10-6-74 of sale therefore assumes significance in so far as the said Ramachandra Patil is a party to the declaration of sale and if he had had any grievance, he would not have given that declaration.

On the basis of the material available to me therefore, I hold that there is no employer-employee relationship between the Second Party on the one hand and the said Ramachandra Jinnappa Patil on the other.

That finding is sufficient to dispose of the reference which is made on the assumption that the said Ramachandra Patil was a helper and his services were terminated with effect from 24-3-1974 as the person concerned was not an employee at all. It may be noticed that according to the agreed mode of payment in the Agreement of Sale, the payment to the said Ramachandra Patil would be over by December 1973 and thereafter an amount of Rs. 7,454/- remained to be paid to the other partners of the said Ramachandra Patil. In these circumstances, it is not at all likely that Ramachandra Patil would become an employee as a Helper. Even in the declaration of 10-6-1974, he has described his occupation as that of a businessman. The contention in the claim statement that said Ramachandra Patil was not able to secure any job since the termination end was not gainfully employed cannot at all chandra Patil.

I, therefore, pass the following Award:

"AWARD"

As Ramachandra Jinnappa Patil was not an employee of the Second Party, there is no question of his services being terminated. The reference is answered accordingly.

(R. V. KOLLALI)
Presiding Officer

Date: 29th June, 1976.

Place: Dona Paula.

By order and in the name of the Lt. Governor of Goa,
Daman and Diu.

P. Noronha, Under Secretary (Industries and Labour).

Order

No. IJM/CON/(133)/75/IT-4/76/1092

G. O. — Whereas the Lieutenant Governor of Goa, Daman and Diu is of the opinion that an industrial dispute exists between the employer in relation to the management of M/s. Joseph C. Valles, 13 Junta House, Panaji (Goa) and their workman Shri Pío Albano Noronha, in respect of the matters specified in the Schedule hereto annexed;

And whereas the Lieutenant Governor of Goa, Daman and Diu, considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Lieutenant Governor of Goa, Daman and Diu hereby refers the said dispute for adjudication to the Industrial Tribunal, Goa, Daman and Diu, Panaji (Goa) constituted under section 7A of the said Act.

SCHEDULE

«Whether the action of the management of M/s. Joseph C. Valles, 13 Junta House, Panaji (Goa), in terminating the services of Shri Pío Albano Noronha, with effect from 16-6-1973 is legal and justified;

If not, to what relief the said workman is entitled?»

By order and in the name of the Lt. Governor of Goa,
Daman and Diu.

Abel do Rosario, Under Secretary (Industries and Labour),
Panaji, 16th July, 1976.

Corrigendum

No. 1/3172/76-ID/LAB/1110

The dates appearing in the 2nd and 3rd Paras at pg. 102 of the Official Gazette Series II No. 14 dated 1st July, 1976 may be read as «12th November, 1974 to 17th December, 1974» and «12th November, 1974 to 17th December, 1974» instead of «12th November, 1974 to 17th November, 1974» and «13th November, 1974 to 17th November, 1974» respectively.

By order and in the name of the Lt. Governor of Goa,
Daman and Diu.

P. Noronha, Under Secretary (Industries and Labour),
Panaji, 16th July, 1976.

Revenue Department

Notification

RD/LQN/154/76

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz for widening and black topping of Bicholim-Mayem Road.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Dy. Collector, Goa, North Division Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Superintending Engineer I, Circle I, P. W. D., Panaji.
3. The Deputy Collector Goa, North Division, Panaji.
4. The Director of Land Survey, Panaji.
5. The Executive Engineer, Works Division II, P. W. D., Panaji.

6. A rough plan of the said land is available for inspection in the office of the Dy. Collector Goa, North Division Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/ Ward | Plot No. | Survey No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|-------------|----------|------------------|----------|--------------|---|---------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1 | Bicholim | Mayem | 1 | 162/ part | Custodian of Evacuee Property (Government). North: Public Road & S. No. 162/part. South: S. No. 160/part. East: Public Road. West: S. No. 162/part. | 147.75 |
| 2 | » | » | 2 | 160/ part | Custodian of Evacuee Property (Government). North: 162/part. South: S. No. 160/part. East: Public Road. West: S. No. 160/part. | 1,463.25 |
| Total | | | | | | 1,611.00 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. R. Arya, Secretary (Revenue).

Panaji, 9th July, 1976.

Notification

No. RD/LQN/145/76

Whereas it appears to the Appropriate Government (hereinafter referred to as «the Government») that the land specified in the schedule hereto (hereinafter referred to as the «said land») is likely to be needed for public purpose viz Construction of road from Bambolim to Nauxi, Tiswadi Taluka.

Therefore the Government is pleased to notify under sub-section (1) of Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as the «said Act») that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contracts for the disposal of the said land by sale, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed in paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of Section 24 of the said Act,

be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette, in due course. If the acquisition is abandoned wholly or in part, the fact will be notified.

4. The Government is further pleased to appoint under clause (c) of Section 3 of the said Act the Land Acquisition Officer, Panaji, to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government is also pleased to authorise under sub-section (2) of Section 4 of the said Act, the following officers to do the acts, specified therein in respect of the said land.

1. The Collector of Goa, Panaji.
2. The Superintending Engineer I, Circle I, P.W.D., Panaji.
3. The Land Acquisition Officer, Panaji.
4. The Executive Engineer, Works Division II, P. W. D., Panaji.

6. A rough plan of the said land is available for inspection in the office of the Land Acquisition Officer, Panaji, for a period of 30 days from the date of publication of this Notification in the Official Gazette.

SCHEDULE

(Description of the said land)

| Sr. No. | Taluka | Village/Ward | Plot No. | Survey No. | Names of the persons believed to be interested | Approximate area in sq. mts. |
|-------------|---------|--------------|----------|--------------|--|------------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | Tiswadi | Bambolim | 1 | 44/part | Comunidade of Bambolim. North: Public Road. South: Baptista Fernandes. East: Comunidade of Bambolim. West: — do — | 700.00 |
| 2. | » | » | 2 | 42/part 2 | Smt. Baptista Fernandes of St. Cruz. North: Comunidade of Bambolim. South: Fabrica de Igreja de Bambolim. East: Baptista Fernandes. West: — do — | 1,564.85 |
| 3. | » | » | 3 | 42/part 1 | Fabrica de Igreja Bambolim. North: Baptista Fernandes. South: Joao Caetano Benjami Jose Gonsalves. East: Fabrica de Igreja de Bambolim. West: — do — | 804.50 |
| 4. | » | » | 4 | 34/part 4 | Shri Joao Caetano Benjami Jose Gonsalves of St. Cruz. North: Fabrica de Igreja of Bambolim. South: Maria Josefa Dias & Others. East: Joao Caetano Benjami Jose Gonsalves. West: — do — | 961.00 |
| 5. | » | » | 5 | 34/part 3 | Smt. Maria Josefa Dias and Anjelina Alvaro of St. Cruz. North Joao Caetano Benjami Jose Gonsalves. South: Pascoal Gonsalves. East: Maria Josefa Dias and Others. West: — do — | 405.35 |
| 6. | » | » | 6 | 34/part 2 | Shri Pascoal Gonsalves, Shri Simplicio Gonsalves and heirs of Jose Maria Gonsalves of St. Cruz. North: Maria Josefa Dias & Others. South: Joao Caetano Benjami Jose Gonsalves. East: Pascoal Dias & Others. West: — do — | 590.00 |
| 7. | » | » | 7 | 34/part 1 | Shri Joao Caetano Benjami Jose Gonsalves of St. Cruz. North: Pascoal Dias & Others. South: Hilario Renato A. Dias. East: Joao Caetano Benjami Jose Gonsalves. West: — do — | 659.75 |
| 8. | » | » | 8 | 35/part 1 | Shri Hilario Renato A. Dias of Aldona. North: Jose Caetano Benjami Jose Gonsalves. South: Passage. East: Hilario R. A. Dias. West: Passage. | 1,151.35 |
| 9. | » | » | 9 | 37/part 1 | Shri Hilario Renato A. Dias of Aldona. North: Passage. South: Confraria da Igreja of Mercês. East: Hilario R. A. Dias. West: Passage. | 364.50 |
| 10. | » | » | 10 | 15/part 1 | Shri Hilario Renato A. Dias of Aldona. North: Passage. South: Confraria de Igreja of Mercês. East: Passage. West: Hilario R. A. Dias. | 33.75 |
| 11. | » | » | 11 | 15/part 2 | Confraria de Igreja of Mercês. North: Hilario R. A. Dias. South: Bazilia Pires. East: Passage. West: Confraria de Igreja of Mercês. | 99.00 |
| Total | | | | | | 7,334.05 |

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. R. Arya, Secretary (Revenue).

Panaji, 9th July, 1976.

Notification

No. RD/TNC/BND/280/67-LXXIV

In pursuance of the proviso to sub-section (3) of Section 26 of the Goa, Daman and Diu Agricultural Tenancy Act, 1964, the Government hereby specify the following bund/s prescribed in the schedule appended hereto as protective bund/s for the purpose of the said proviso:—

SCHEDULE

| Sr. No. | Name of the bund | Village | Taluka | Approximate area protected (in Hectares) | Description of the bund |
|---------|---|-------------|---------|--|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | Van Khazan | Chorao | Tiswadi | 20 (direct) 100 (indirect) | The bund belonging to Smt. Lucy Menezes is starting from the paddy field «Dioquinho» belonging to the Comunidade of Chorao and ending with the same. The bund is running marginal to the tributary of River Mandovi. |
| 2. | Cantor Bhathi | Azossim | — do — | 150 | The internal bund belonging to the Comunidade of Azossim is starting from the paddy field «Mamoli» belonging to the Comunidade of Azossim and ending with the paddy field «Sason» belonging to Shri Benjamin Pires of Azossim of Tiswadi Taluka. |
| 3. | Colval Cantor | Carambolim | — do — | 80 | The internal bund starting with the paddy field «Colval Cantor» belonging to the Comunidade of Carambolim and ending with the same paddy field. |
| 4. | Camroi Khazan | Khorjuem | Bardez | 5 | The bund starting with the paddy field «Camroi Khazan», belonging to the Comunidade of Khorjuem running marginal to the creek of River Mandovi and ending with the same paddy field. |
| 5. | Canturli | Tuem | Pernem | 1.50 | The bund belonging to Shri Sonu Vishnu Kandolkar is starting from the paddy field «Canturli» belonging to Shri Sonu V. Kandolkar and ending with the same paddy field at Pernem Taluka. The bund is marginal to the tributary of River Chapora. |
| 6. | Palni | St. Estevam | Tiswadi | 100 | The internal bund starting with the paddy field «Palni» belonging to Comunidade of St. Estevam, running in between the paddy fields «Palni and Vantsuo» and ending with the paddy field «Palni» and connected to the bund «Vantsuo» of Shri Mosso Porobo Laundo, situated at St. Estevam of Tiswadi Taluka. |
| 7. | Tor Khazan, Dacacho-Cantor, Arichem-Cantorla. | St. Matias | — do — | 200 | The bund starting with the paddy field «Tor Khazan» belonging to Comunidade of St. Matias, running marginal to the tributary of River Mandovi and ending with the same paddy field «Tor Khazan» situated at St. Matias of Tiswadi Taluka. |
| 8. | Danaitacho Bund and Novo Bund. | Batim | — do — | 80 (direct and indirect) | The bund starting with the paddy field «Dacu Gandeacho Bund» running marginal to the creek of River Zuari and ending with the paddy field «Danaitacho Bund and Novo Bund», belonging to Shri Ramraj Shirodkar of Batim of Tiswadi Taluka. |
| 9. | Gau Khazan. | Aldona | Bardez | 15 | The bund starting with the paddy field «Gau Khazan» belonging to the Comunidade of Boa Esperança, Aldona of Bardez Taluka and ending with the paddy field of St. Thomas Church situated at Aldona of Bardez Taluka. The bund is running marginal to the tributary of River Mapusa. |

By order and in the name of the Administrator of Goa, Daman and Diu,

S. S. Sukthankar, Under Secretary (Revenue).

Panaji, 13th July, 1976.

Urban Development Department

Notification

No. LSG/MUN-3182-68-C

Read: Government Order No. 4-8-76-SPL.II dated 6-7-1976.

In exercise of the powers conferred by sub-section (1) of Section 71 of the Goa, Daman and Diu Municipalities Act, 1968 (7 of 1969), Government of Goa, Daman and Diu, in

supersession of notification of even number dated 8-5-1974 hereby appoints, with effect from 12-7-1976, Shri Narendra Prasad, Secretary to the Government of Goa, Daman and Diu, Revenue Department, as the Director of Municipal Administration.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (U.D.D.).

Panaji, 12th July, 1976.

Notification

No. 3-39-73-LSG(GEN)

In partial modification of Government Notification No. 3-39-73-LSG(GEN) dated 1st April, 1976, published in the Official Gazette (Extraordinary), Series II, No. 1 dated 1st April, 1976, and in exercise of the powers conferred by sub-section (1) of Section 42 of the Goa, Daman and Diu Municipalities Act, 1968 (7 of 1969), the Government of Goa, Daman and Diu hereby extends the term of the office of the Councillors of each of the Municipal Councils specified in column (2) of the table appended to this Notification, for a period upto 20-9-1976.

TABLE

| Sr. No. | Name of the Municipal Council |
|---------|-------------------------------|
| 1. | Panaji Municipal Council. |
| 2. | Margao Municipal Council. |
| 3. | Mormugao Municipal Council. |
| 4. | Mapusa Municipal Council. |
| 5. | Daman Municipal Council. |
| 6. | Ponda Municipal Council. |
| 7. | Bicholim Municipal Council. |
| 8. | Sanguem Municipal Council. |
| 9. | Diu Municipal Council. |

By order and in the name of the Administrator of Goa, Daman and Diu.

Narendra Prasad, Secretary to the Government.

Panaji, 19th July, 1976.

Public Health Department

Order

No. PHD/80(1)/76/Retired/1634

On attaining the age of superannuation, Dr. (Mrs.) Aurea Estibeiro Ataíde, Chief T. B. Officer in the Directorate of Health Services, Panaji will stand retired with effect from 1-8-1976.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Health).

Panaji, 16th July, 1976.

Notification

No. U-9-70-DHS/GCP/5659

Read: Government Notification No. U-9-70-DHS/GMC/-/GCP/5659 dated 25th June, 1976.

In supersession of the Government Notification cited above and on the recommendation of the Departmental Promotion Committee relating to the selection of officers for officiating promotion to the General Central Service Group 'A' (Class I) posts of (i) Chief Medical Officer, Anti-Filaria Campaign and (ii) Chief T. B. Officer in the scale of Rs. 1100-1600 in the Directorate of Health Services, Panaji as contained in the minutes of the Departmental Promotion Committee held on 7-6-1976, the Administrator of Goa, Daman and Diu is hereby pleased to appoint (i) Dr. Alirio Fernandes and (ii) Dr. (Smt.) Aurea Estibeiro de Ataíde to the posts of Chief Medical Officer, Anti-Filaria Campaign and Chief T. B. Officer respectively with effect from 7-6-1976.

By order and in the name of the Administrator of Goa, Daman and Diu.

F. A. Figueiredo, Under Secretary (Health).

Panaji, 15th July, 1976.

Finance Department (Revenue)

Notification

No. Fin(Rev)/2-36/Appts/14/73(III)

Read: Government order No. 4-8-76-SPL-II dated 9th July, 1976.

In exercise of the powers conferred by sub-section (1) of Section 3 of the Goa, Daman and Diu Sales Tax Act, 1964 (Act No. 6 of 1974) the Government of Goa, Daman and Diu hereby appoints Shri V. K. Chowdhary, Commissioner of Sales Tax, with effect from 9-7-1976 (A. N.), until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. S. Sukhatankar, Under Secretary (Finance).

Panaji, 16th July, 1976.

Notification

No. Fin(Rev)/2-36/Appts/14/73

Read: Government order No. 4-8-76-SPL-II dated 9th July, 1976.

In exercise of the powers conferred by sub-section (1) of Section 3 of the Goa, Daman and Diu Excise Duty Act, 1964, the Government of Goa, Daman and Diu hereby appoints Shri V. K. Chowdhary, Commissioner of Excise, with effect from 9-7-1976 (A. N.), until further orders.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. S. Sukhatankar, Under Secretary (Finance).

Panaji, 16th July, 1976.

Notification

No. Fin(Rev)/2-42/1/76

In exercise of the powers conferred by Clause (a) of Sub-Section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899) as in force of the Union territory of Goa, Daman and Diu, the Government of Goa, Daman and Diu hereby remits, with immediate effect, the stamp duty chargeable under clause (b) of Article 62 of Schedule 1-A of the said Act in respect of instruments of transfer of «10.25% Debentures 1986» issued by the Economic Development Corporation of Goa, Daman and Diu Ltd., Panaji, Goa.

By order and in the name of the Administrator of Goa, Daman and Diu.

S. S. Sukhatankar, Under Secretary (Finance).

Panaji, 19th July, 1976.

Law and Judiciary Department

Order

No. LD/JCC/2919/76

Sanction of the Administrator is hereby conveyed to the grant of earned leave to Shri Tito Menezes, Judicial Commissioner, Goa, Daman and Diu for 5 days from 5-7-1976 to 9-7-1976 with permission to prefix 4-7-1976 being Sunday and suffix 10-7-1976 and 11-7-1976 being second Saturday and Sunday respectively.

M. S. Borkar, Under Secretary (Law).

Panaji, 13th July, 1976.